1	BRIAN J. STRETCH (CABN 163973) United States Attorney		
3	BARBARA J. VALLIERE (DCBN 439353) Chief, Criminal Division		
4 5 6	ARAH HAWKINS (CABN 257723) Assistant United States Attorney  450 Golden Gate Avenue, Box 36055 San Francisco, California 94102-3495 Telephone: (415) 436-7126 Fax: (415) 436-7207 Email: Sarah.Hawkins@usdoj.gov		
7 8			
9	Attorneys for United States of America		
10	UNITED STATES DISTRICT COURT		
11	NORTHERN DISTRICT OF CALIFORNIA		
12	SAN FRANCISCO DIVISION		
13	UNITED STATES OF AMERICA,	) CASE NO. CR 15 0489 RS	
14	Plaintiff,	) STIPULATION AND [ <del>PROPOSED</del> ] ORDER ) EXCLUDING TIME FROM OTHERWISE	
15	V.	APPLICABLE SPEEDY TRIAL ACT CALCULATION	
16	ERIC SHELBY MELOVICH,	) CALCULATION	
17	Defendant.	) )	
18		) )	
19		,	
20	STIPULATION		
21	IT IS HEREBY STIPULATED by the parties, through undersigned counsel, that:		
22	1. The parties appeared before the Court on August 30, 2016 at 2:30 p.m. for a status		
23	hearing. Mr. Melovich was present and represented by Peter Goodman. Assistant United States		
24	Attorney Sarah Hawkins appeared for the government. The parties requested a continuance of the		
25	matter, with time excluded for effective preparation of counsel.		
26	2. Accordingly, with the parties' agreement as to the new date, the Court scheduled the		
27	matter for change of plea or trial setting on September 27, 2016 at 2:30 p.m., with the understanding that		
28	the parties would submit a Stipulation and Proposed Order excluding time.		
	STIP. AND ORDER EXCLUDING TIME  CR 15-0489 RS	1	

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1	3. The parties now formalize their request for a continuance of this matter to September 27		
2	2016 at 2:30 p.m. for a status conference, and respectfully submit and agree that the period from Augus		
3	30, 2016 through and including September 27, 2016 should be excluded from the otherwise applicable		
4	Speedy Trial Act computation because the continuance is necessary for effective preparation of counsel		
5	taking into account the exercise of due diligence	· ·	
6	4. The parties concur that granting the exclusion would allow the reasonable time necessary		
7	for effective preparation of counsel and continuity of counsel. See 18 U.S.C. §3161(h)(7)(B)(iv). The		
8	parties also agree that the ends of justice served by granting such an exclusion of time for the purposes		
9	of effective preparation of counsel outweigh the best interests of the public and the defendant in a		
10	speedy trial. 18 U.S.C. § 3161(h)(7)(A).		
11			
12	IT IS SO STIPULATED.		
13			
14	DATED: September 6, 2016	BRIAN J. STRETCH United States Attorney	
15		Officed States Attorney	
16	5	SARAH HAWKINS	
17	,	Assistant United States Attorney	
18			
19	DATED: September 6, 2016		
20		 PETER GOODMAN	
21		Counsel for Eric Melovich	
22			
23			
24			
25			
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27	,		
, ,	,		

## [PROPOSED] ORDER

Based upon the above-described Stipulation, THE COURT FINDS THAT the ends of justice served by granting a continuance from August 30, 2016 through and including September 27, 2016 outweigh the best interest of the public and the defendant in a speedy trial, and that failure to grant such a continuance would unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

## Accordingly, THE COURT ORDERS THAT:

- 1. The parties shall appear before the Court on September 27, 2016 at 2:30 p.m. for further status conference.
- 2. The period from August 30, 2016 through and including September 27, 2016 is excluded from the otherwise applicable Speedy Trial Act computation, pursuant to 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

IT IS SO ORDERED.

DATED: 9/7/16

HON. RICHARD SEEBORG United States District Judge